

LEGISLATURE OF NEBRASKA
ONE HUNDRED SEVENTH LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 389

Introduced by Sanders, 45; at the request of the Governor; Blood, 3.

Read first time January 14, 2021

Committee: Education

- 1 A BILL FOR AN ACT relating to teachers; to amend section 79-813, Reissue
- 2 Revised Statutes of Nebraska; to require the issuance of
- 3 certificates and permits to military spouses as prescribed; to
- 4 harmonize provisions; and to repeal the original section.
- 5 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 79-813, Reissue Revised Statutes of Nebraska, is
2 amended to read:

3 79-813 (1)(a) The board shall authorize the issuance of a
4 certificate or permit to any applicant for such certificate or permit
5 who:

6 (i) Is a military spouse;

7 (ii) Holds a valid certificate or permit currently in force in
8 another state to teach, administer, or provide special services;

9 (iii) Has held such certificate or permit for at least one year;

10 (iv) Is in good standing in all states where a certificate or permit
11 to teach, administer, or provide special services is held;

12 (v) Does not have any pending investigations or complaints against
13 any such certificate or permit;

14 (vi) Meets all residency and background check requirements otherwise
15 required for a Nebraska certificate or permit; and

16 (vii) Pays any applicable fees.

17 (b) The commissioner shall verify that the applicant for a
18 certificate or permit under this subsection meets the requirements of
19 subdivisions (a)(iv) and (v) of this subsection. Such applicant shall not
20 be required to meet the human relations training requirement under
21 section 79-808 to obtain such certification or permit. Such certificate
22 or permit shall be valid for at least three years and shall include the
23 same or similar endorsements to teach in all subject areas for which the
24 applicant had been certified to teach in such other state if a similar
25 endorsement is offered in Nebraska.

26 (c) A preliminary permit shall be issued to an applicant upon
27 submission of the application, payment of the applicable fees, and the
28 successful completion of the criminal history record information check as
29 provided in section 79-814.01. The preliminary permit shall remain in
30 force until the commissioner completes the review of all requirements in
31 subdivision (1)(a) of this section and either issues a certificate or

1 permit or notifies the applicant of the reason such certificate or permit
2 cannot be issued.

3 (d) The board shall adopt and promulgate rules and regulations to
4 (i) expedite the processing of an application submitted under this
5 subsection by an applicant whose spouse is serving on active duty at the
6 time of such submission and (ii) specify the documentation necessary to
7 establish the applicant's status as a spouse of a person who is serving
8 on active duty at the time of such submission.

9 (e) For purposes of this subsection:

10 (i) Active duty means full-time duty status in the active uniformed
11 service of the United States, including members of the National Guard and
12 Reserve on active duty orders pursuant to 10 U.S.C. 1209 and 1211; and

13 (ii) Military spouse has the same meaning as in section 38-118.01.

14 (2) In addition to certificates and permits issued pursuant to
15 subsection (1) of this section, the ~~The~~ board may authorize the issuance
16 of certificates or permits to applicants who hold a valid certificate or
17 permit currently in force in another a state ~~other than Nebraska~~ if the
18 requirements for the certificate or permit held by the applicant are
19 comparable and equivalent to those required for a similar type of
20 certificate or permit issued under sections 79-806 to 79-815.

21 Sec. 2. Original section 79-813, Reissue Revised Statutes of
22 Nebraska, is repealed.